

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

<b>FABIAN MURRAY,</b>	:	<b>MOTION TO VACATE</b>
<b>BOP Reg. # 64102-019,</b>	:	<b>28 U.S.C. § 2255</b>
<b>Movant,</b>	:	
	:	<b>CRIMINAL ACTION NO.</b>
<b>v.</b>	:	<b>1:12-CR-286-AT-AJB-1</b>
	:	
<b>UNITED STATES OF AMERICA,</b>	:	<b>CIVIL ACTION NO.</b>
<b>Respondent.</b>	:	<b>1:17-CV-3884-AT-AJB</b>

**UNITED STATES MAGISTRATE JUDGE’S  
FINAL REPORT AND RECOMMENDATION**

Movant, Fabian Murray, filed a pro se motion under 28 U.S.C. § 2255 to vacate, set aside, or correct sentence by a person in federal custody. [Doc. 215.]<sup>1</sup> A copy of Movant’s § 2255 motion was also filed in his other criminal case in this Court.<sup>2</sup> The Government filed a response in opposition, indicating its reliance upon its filings in Movant’s other criminal case. [Doc. 217.] Movant filed a reply, [Doc. 218], and a supplemental memorandum, [Doc. 221].

The undersigned is simultaneously issuing a Final Report and Recommendation on Movant’s § 2255 motion in his other criminal case. For the reasons given in that

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<sup>1</sup> Citations to the record in this Final Report and Recommendation refer to case number 1:12-cr-286-AT-AJB-1.

<sup>2</sup> See Document 458, *United States v. Murray*, No. 1:12-cr-285-AT-AJB-2 (N.D. Ga. Aug. 14, 2017).

Final Report and Recommendation, the undersigned **RECOMMENDS** that the present § 2255 motion, [Doc. 215], be **DENIED**, a COA be **DENIED**, and civil action number 1:17-cv-3884-AT-AJB be **DISMISSED**.

The Clerk is **DIRECTED** to terminate the referral of the present § 2255 motion to the undersigned Magistrate Judge.

**IT IS SO RECOMMENDED and DIRECTED**, this 15th day of March, 2019.



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**ALAN J. BAVERMAN**  
**UNITED STATES MAGISTRATE JUDGE**